SUPERVISOR'S REPORT ON USE OF FORCE

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 919-03027-5640-145 | Date: 10/22/18 | Time: 0902

Location: 29340 The Old Road | City or Station: Castaic

Bureau/Station/Facility: North County Correctional Facility | Admin. Investigation: ○ YES ◉ NO

Type of Force: Takedown, Personal Weapons, and Controls Holds

Incident Category: ○1 ○2 ◉3 | Deputy Injury: ◉ YES ○ NO | Suspect Injury ◉ YES ○ NO

☐ Call ☒ Observation ☐ Detail | ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: ◉YES ○ NO | Person Notified: Lieutenant Minh Dinh | Emp: [redacted] | IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Wicek	James	M	DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	W	510	154	[redacted]	○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: NCCF | Work Assignment (Unit #, Module, etc.): 500/600 Title 15 Team Leader

Individual Force Used: Takedown, Personal Weapons | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○1 ○2 ◉3

☒ Injured ☒ Treated ☐ Admitted | Facility: Providence Holy Cross Health Center | Coroner Case #

E2

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Poblete	Alvaro		DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	H	509	175	[redacted]	○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: NCCF | Work Assignment (Unit #, Module, etc.): 500/600 Title 15 - 3

Individual Force Used: Takedown, Personal Weapons | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○1 ○2 ◉3

☒ Injured ☒ Treated ☐ Admitted | Facility: Providence Holy Cross Health Center | Coroner Case #

E3

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	H	507	135	[redacted]	○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: NCCF | Work Assignment (Unit #, Module, etc.): 500/600 Title 15-4

Individual Force Used: Control Holds | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ◉1 ○2 ○3

☐ Injured ☐ Treated ☐ Admitted | Facility: | Coroner Case #

On Duty Supervisor ☐ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Chavez	Christopher	L	SGT	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Dang	Luan	V	SGT	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Grall	David	M	LT

LT. Grall (signature) — Watch Commander / Supervising Lieutenant's **Signature:** | 8/22/19 Date | Copy Provided to Employee by: | Emp #:

Unit Commander **(Print Name)** | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

pervisor's Report on Use of rce
SUSPECT INFORMATION

919 - 03027 - 5640 - 145

Suspect Information

S 1

Last Name: Hernandez | First Name: Manuel | Middle Name: Isaiah | Armed? Select: Not Armed

AKA Last Name: | First Name: | Middle Name:

Sex: (●) Male ( ) Female | Race: H | Age: 24 | Height: 503 | Weight: 120 | D.O.B: 02/23/95 | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 5349838 | Primary Charge Code: 243(c) PC x 2 | Secondary Charge Code: | ☒ Criminal History

Treated on Scene? (●) YES ( ) NO | Name: NCCF | Unit: Infirmary | Phone #: (661)295-7810

Hospital Admission? ☐ | Rec'd Treatment At: NCCF | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. Shekhar Pai | Address: 29340 The Old Road, Castaic CA | Phone #: (661)295-7810

Under Influence: ( ) YES (●) NO | Substance: None | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Date: 10/22/18 | Time: 1355 | ☒ Audiotape: | ☒ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

919 - 03027 - 5640 - 145

Employee Witnesses

Emp #	Last Name	First Name	Middle Name
[redacted]	Giannoulias	Dimitrios	D
Unit of Assignment: NCCF	**Work Assignment (Unit #, Module, etc.):** 600 B1	**Shift:** ( ) EM (•) Day ( ) PM	(•) Regular ( ) OT ( ) Off Duty
[redacted]	Budrecki	John	C
Unit of Assignment: NCCF	**Work Assignment (Unit #, Module, etc.):** 600 Rover 1	**Shift:** ( ) EM (•) Day ( ) PM	(•) Regular ( ) OT ( ) Off Duty
[redacted]	Mayberry	Thomas	O
Unit of Assignment: NCCF	**Work Assignment (Unit #, Module, etc.):** 600 Rover 2	**Shift:** ( ) EM (•) Day PM	(•) Regular ( ) OT ( ) Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	29	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

SH-R-438P (Rev. 01/13)

☐ Additional Witness

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

9 1 9 - 0 3 0 2 7 - 5 6 4 0 - 1 4 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Atilano	Arturo	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
NCCF	500/600 Title 15-2	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Sepulveda	Jose	L

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
NCCF	615 Staff Station	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Baker	Brandy	B

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
NCCF	600 Rover 4	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

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Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Jacobo	Cesar	F
Unit of Assignment: NCCF	**Work Assignment (Unit #, Module, etc.):** 500/700 Yard - 1	**Shift:** ○ EM ● Day ○ PM	● Regular ○ OT ○ Off Duty
[redacted]	Portilla	Gildardo	E
Unit of Assignment: NCCF	**Work Assignment (Unit #, Module, etc.):** 500/700 Yard	**Shift:** ○ EM ● Day ○ PM	● Regular ○ OT ○ Off Duty
[redacted]	Carranza	Pete	A
Unit of Assignment: NCCF	**Work Assignment (Unit #, Module, etc.):** Inmate Services	**Shift:** ○ EM ● Day ○ PM	● Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

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Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Lee	June	Y

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
NCCF	900 Rover 1	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Kim	Eugene	M

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
NCCF	610 Staff Station	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Harsha	Terry	E

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
NCCF	Laundry	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

9 1 8 - 0 3 0 2 7 - 5 6 4 0 - 1 4 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Henn	Christopher	R

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
NCCF	Laundry	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Brayman	Betsy	L

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
NCCF	Laundry	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Mangona	Romeo	N

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
NCCF	Laundry	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2

☐ Additional Witness

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Manuel Hernandez	S#1	James Wlcek	E#1	PP	NN	HE/SH
James Wlcek	E#1	Manuel Hernandez	S#1	PH/TD	BR	FA
Manuel Hernandez	S#1	James Wlcek	E#1	PH	AB	FA
James Wlcek	E#1	Manuel Hernandez	S#1	PH	FR	FA
Alvaro Poblete	E#2	Manuel Hernandez	S#1	PH	FR	FA

INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **Category 3 Use of Force, orbital fracture**

IAB FILE NUMBER: **FO 2466708**

URN#: **918-03027-5640-145**

DATE/TIME: **October 22, 2018 @ 0902 hours**

LOCATIONS: **North County Correctional Facility (NCCF)**
29340 The Old Road
Castaic, California, CA 91384

SUMMARY

On October 22, 2018, Internal Affairs Bureau (IAB) Sergeants Luan Dang, Francois Chang, and Lieutenant Minh Dinh responded to NCCF in regard to a Category 3 use of force, which resulted in Suspect Manuel Hernandez (Suspect Hernandez) right orbital fracture.

IAB investigators learned the use of force occurred inside dorm 612, between bunks 3 and 4, on the lower tier. Deputies James Wlcek, Alvaro Poblete, Eugene Kim, and [redacted] were conducting the hourly Title 15 compliance checks of the dorms in building 600. There were eight dorms on the first floor in Building 600 and each dorm consisted of an upper and a lower tier.

After the deputies completed their security checks in Dorm 611, they walked through the sliding doors, between dorms 611 and 612, and entered dorm 612. Deputies Wlcek and Poblete walked the lower tier while Deputies Kim and [redacted] walked the upper tier as they conducted their checks in dorm 612. As Deputies Wlcek and Poblete walked by bunk 3, Suspect Hernandez lunged at them. Suspect Hernandez attempted to punch Deputy Wlcek in the head and shoulder area with his right fist; however, Deputy Wlcek raised his left forearm

and blocked Suspect Hernandez' punch. Simultaneously as Suspect Hernandez raised his left arm, Deputy Wlcek punched Suspect Hernandez in the abdomen.

Deputies Wlcek and Poblete engaged Suspect Hernandez simultaneously as Suspect Hernandez retreated into the space between bunks 3 and 4. Deputies Wlcek and Poblete pushed Suspect Hernandez into the narrow space between bunks 3 and 4 and took him down to the ground. Suspect Hernandez landed on his back and Deputy Wlcek landed on top of him. Deputy Poblete followed Deputy Wlcek and entered the narrow space between bunks 3 and 4 to assist in controlling Suspect Hernandez. Deputy Arturo Atilano, who stood by the front entrance of the dorm to provide security during the security checks, saw Deputies Wlcek and Poblete between the bunks. Deputy Atilano did not see the suspect; however, based on the movements exhibited by Deputies Wlcek and Poblete, Deputy Atilano believed the deputies were involved in a fight. Deputy Atilano utilized his portable radio to broadcast deputies involved in a fight in dorm 612.

Deputies [redacted] and Kim were walking on the upper tier of dorm 612 when they heard yelling coming from the lower tier. Deputies [redacted] and Kim ran downstairs and saw Deputies Wlcek and Poblete in between bunks 3 and 4. Because the space was narrow, Deputy [redacted] was unable to enter the small space. Deputy [redacted] stood by the entrance between bunks 3 and 4 and provided assistance by controlling Suspect Hernandez' legs. Deputy Kim turned his attention to the surrounding inmates to provide security.

While lying on the ground on his back, Suspect Hernandez refused to comply with the deputies' orders to stop fighting and give them his hands. Suspect Hernandez thrashed his body from side to side and thrusted his hips upward to get the deputies off. Suspect Hernandez tucked his elbows into his body, placed his hands in front of his face, and was "ready to strike" Deputy Wlcek (*refer to **Deputy Wlcek's transcript, page 15***). Deputy Wlcek punched Suspect Hernandez three or four times in the stomach; however, the punches were ineffective due to limited motion. Suspect Hernandez continued to fight the deputies and Deputy Wlcek punched him in the face about three to four times. Additional personnel arrived on scene and provided security.

Because the space between bunks 3 and 4 was narrow, Deputy Poblete had to position himself behind Deputy Wlcek. As Deputy Poblete leaned over to the right side of Deputy Wlcek and attempt to grab Suspect Hernandez' arms, Deputy Poblete saw Suspect Hernandez "clawing" at Deputy Wlcek's chest and face area (*refer to **Deputy Poblete's transcript, page 16***). Deputy Poblete reached over the right side of Deputy Wlcek and utilized a hook-like fashion to punch Suspect Hernandez in the torso area about three to four times. Because of the narrow space and the fact Deputy Wlcek in front of him, Deputy Poblete believed his punches might have struck Deputy Wlcek. Deputy Poblete's punches were ineffective as Suspect Hernandez continued to punch Deputy

Wlcek (*refer to* ***Deputy Poblete's transcript, page 13***). Deputy Poblete repositioned himself to the left of Deputy Wlcek and was able to see Suspect Hernandez' face. Deputy Poblete punched Suspect Hernandez about two to three times in the face. After Deputies Wlcek and Poblete punched Suspect Hernandez in the face, Suspect Hernandez gave up, raised his arms above his head, and ceased tensing his body. Suspect Hernandez was handcuffed and escorted to the infirmary for medical treatment.

Deputy Wlcek reported his use of force to Sergeant Christopher Chavez and authored an incident report under file #918-03027-5640-145 **[EXHIBIT A]**. Deputies Poblete and [redacted] documented their involvement in the use of force on supplemental reports **[EXHIBIT B]**. The incident was captured via surveillance cameras inside the dorm **[EXHIBIT C – Subfolder Surveillance footage]**. The radio traffic broadcast by Deputy Atilano is included in **[EXHIBIT C – Subfolder Radio Traffic]**.

Surveillance footage showed the following personnel responded to the scene and provided assistance: Senior Deputy Dimitrios Giannoulias, Deputies John Budrecki, Thomas Mayberry, Arturo Atilano, Jose Sepulveda, Brandy Baker, Cesar Jacobo, Gildardo Portilla, Pete Carranza, June Lee, Eugene Kim, Terry Harsha, Custody Assistants Christopher Henn, Betsy Brayman, and Romeo Mangona. They were later interviewed by IAB investigators.

During Suspect Hernandez' medical treatment, Doctor Shekhar Pai discovered Suspect Hernandez sustained an orbital fracture to his right side **[EXHIBIT D]**. Doctor Pai stated the injury was consistent with Suspect Hernandez' involvement in a fight.

IAB investigators obtained the inmate roster of dorm 612 **[Miscellaneous Documents]**. IAB investigators learned 51 inmates were present inside dorm 612 when the incident occurred. Out of 51 inmates, 50 inmates either refused or did not provide any relevant information. Video recording of 43 inmates' refusal are included in **[EXHIBIT E]**. Inmate [redacted] was interviewed by IAB investigators. The interview was video-recorded and transcribed. The video is included in **[EXHIBIT F]**.

IAB investigator obtained the laundry exchange calendar of October 22, 2018 and verified building 600 was scheduled for linen exchange that day **[Miscellaneous Documents]**.

IAB investigators reviewed the video footage and saw Suspect Hernandez standing in between bunks 3 and 4. When Deputies Wlcek and Poblete walked by bunk 3, Suspect Hernandez lunged at the deputies with both of his hands up. Deputy Wlcek turned to his left and engaged Suspect Hernandez. Deputy Poblete was behind Deputy Wlcek as both deputies pushed Suspect Hernandez into the space between bunks 3 and 4. Because the space between bunks 3 and

4 was narrow, video footage captured Deputies Wlcek's and Poblete's backs and did not capture specific actions between the deputies and Suspect Hernandez.

Video Review

Video Time	Descriptions
00:17	Deputies Wlcek and Poblete entered dorm 612 from dorm 611 on the lower tier
00:23	Suspect Hernandez lunged at Deputies Wlcek and Poblete
00:28	Deputies Wlcek and Poblete took Suspect Hernandez to the ground in between bunks 3 and 4
00:37	Deputies [redacted] and Kim ran from the upper tier to the lower tiers
00:41	Additional units arrived
01:54	Suspect Hernandez was escorted out of dorm 612

Radio Traffic

Real Time	Descriptions
09:02:42	Deputy Atilano advised of a 415 deputies involved in dorm 612
09:02:49	Central Control acknowledged
09:03:20	Unknown unit advised Code 4 Adam

INVOLVED EMPLOYEE AND WORK HISTORY

James Wlcek, Deputy Sheriff, #[redacted]
Custody Division
North County Correctional Facility

Work History

Date of Employment: February 13, 2012
Date Assigned to NCCF: September 2, 2012
Date Completed Training: [redacted]
Prior Founded Force Incidents:

Equipment Worn On Person

Keys
Oleoresin Capsicum (OC) Spray
Handcuffs
Portable radio

Alvaro Poblete, Deputy Sheriff, #[redacted]
Custody Division
North County Correctional Facility

Work History

Date of Employment:	March 10, 2016
Date Assigned to NCCF:	February 5, 2017
Date Completed Training:	[redacted]
Prior Founded Force Incidents:	

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Handcuffs
Keys
Portable radio
Flashlight

[redacted], Deputy Sheriff, #[redacted]
Custody Division
North County Correctional Facility

Work History

Date of Employment:	September 17, 2015
Date Assigned to NCCF:	April 3, 2016
Date Completed Training:	[redacted]
Prior Founded Force Incidents:	

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Handcuffs
Keys
Portable radio
MK-9
Hobble
Flashlight

SUSPECT INFORMATION

Manuel Isaiah Hernandez
Male, Hispanic, DOB: February 23, 1995, 5'03", 120 pounds
[redacted]

> **IAB Note:** A copy of Suspect Hernandez' criminal history is include in **[Miscellaneous Documents]**.

SUSPECT'S INJURIES

Suspect Hernandez sustained an orbital fracture by his right eye, swollen right pinky finger, a bruise by the right temple, and scratches on the right side of his abdomen. Eight digital photographs depicting Suspect Hernandez' injuries are included in **[EXHIBIT C – Subfolder Suspect Hernandez' injuries]**.

DEPUTY PERSONNEL INJURIES

Deputy Wlcek sustained scratches on both of his forearms, a scratch on his chin, a scratch on the back of his left shoulder, a scratch on his right knee, and abrasions to his left elbow. Nine digital photographs depicting Deputy Wlcek's injuries are included in **[EXHIBIT C – Subfolder Deputy Wlcek's injuries]**.

Deputy Poblete sustained a scratch on his left forearm, a scrape on his right knuckle on the index finger, and a scratch on his left knee. Three digital photographs depicting Deputy Poblete's injuries are included in **[EXHIBIT C – Subfolder Deputy Poblete's injuries]**.

PHYSICAL EVIDENCE

Surveillance footage from three videos showing different angles depicting the incident is included in **[EXHIBIT C – Subfolder Surveillance footage].**

INVESTIGATOR'S OBSERVATIONS

IAB investigators responded to NCCF, dorm 612, and took three digital photographs of the scene **[EXHIBIT C – Subfolder scene]**. IAB investigators noticed the space between bunks 3 and 4 was narrow and could only fit one person. The bunks were secured to the floor by metal bolts and could not be moved. IAB investigators utilized a tape measure and learned the space between bunks 3 and 4 was 25 inches. IAB investigators took a digital photograph of the measurement and included it in this case under **[Miscellaneous Documents]**.

WEAPON USED BY DEPUTY JAMES WLCEK

None.

WEAPON USED BY DEPUTY ALVARO POBLETE

None.

WEAPON USED BY SUSPECT MANUEL HERNANDEZ

Personal weapons.

PROPERTY DAMAGE

None.

CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation was handled by Custody Investigative Services Detective Michael Culver. The suspect was charged with two counts of 243 (C) (2) PC on March 7, 2019. The case was filed at San Fernando Superior Court under case #PA092399 **[Miscellaneous Documents]**. The court proceeding is on-going at the time of this investigation.

LIGHTING CONDITIONS

Dorm 612 was illuminated and well-lit by fluorescence lights.

INVOLVED EMPLOYEES

Deputy James Wlcek

On July 18, 2019, IAB Sergeant Luan Dang interviewed Deputy Wlcek at NCCF. Attorney Susan Jerich from the law offices of Rains, Lucia, Stern, St. Phalle, & Silver was present during the interview. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview.

On October 22, 2018, Deputy Wlcek was assigned as building 500/600 Title 15 Team Leader. During a security check, Deputy Wlcek was walking on the lower tier of dorm 612 with Deputy Poblete. As they passed by bunk 3, Suspect Hernandez raised his right arm above his head, charged, and attempted to punch Deputy Wlcek in the head. Deputy Wlcek reacted by raising his left arm to block Suspect Hernandez' strike and punched Suspect Hernandez once or twice in the abdomen area with his right fist. Deputy Wlcek believed if he had not blocked Suspect Hernandez, he would have been struck (*refer to* ***Deputy Wlcek's transcript, page 9***).

After Deputy Wlcek punched Suspect Hernandez, Deputy Wlcek pushed forward simultaneously as Suspect Hernandez fell backward into the space between bunks 3 and 4. Suspect Hernandez landed on his back and Deputy Wlcek landed on top of him. As Deputy Wlcek landed on Suspect Hernandez, Deputy Wlcek straddled Suspect Hernandez by placing his knees on the sides of Suspect Hernandez' waist. Deputy Poblete fell to the ground and partially lay on top of Deputy Wlcek. Deputy Poblete ordered Suspect Hernandez to stop fighting. Suspect Hernandez did not comply and attempted to get up by bending

his knees to 90 degrees, planted his feet on the ground, pushed his hip upward, and attempted to thrust the deputies off.

Deputy Wlcek punched Suspect Hernandez three or four times in the lower abdomen area. The punches had no effect as Deputy Wlcek's punching motion was limited to approximately four inches. Suspect Hernandez continued to thrash his body from side to side, tucked his elbow into his body, and placed his hands in front of his face. Deputy Wlcek punched Suspect Hernandez three or four times in the face and Suspect Hernandez gave up. Deputies Wlcek and Poblete rolled Suspect Hernandez to his right side which exposed his back, placed his hands behind his back, and placed handcuffs on him. Deputies Wlcek and Poblete stood Suspect Hernandez up and unknown deputies took control of Suspect Hernandez. Suspect Hernandez was subsequently escorted to the infirmary.

Deputy Alvaro Poblete

On July 18, 2019, IAB Sergeant Luan Dang interviewed Deputy Poblete at NCCF. Attorney Susan Jerich from the law offices of Rains, Lucia, Stern, St. Phalle, & Silver was present during the interview. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview.

On October 22, 2018, Deputy Poblete was assigned as building 500/600 Title 15-3. Deputies Poblete and Wlcek walked alongside each other on the lower tier of dorm 612 during a security check. Deputy Wlcek was closer to the bunks area and Deputy Poblete was closer to the dayroom area. As Deputies Poblete and Wlcek walked by bunk 3, Suspect Hernandez lunged at them and grabbed Deputy Wlcek. Deputy Poblete believed Suspect Hernandez was trying to grab Deputy Wlcek's neck based on Suspect Hernandez raising his hands above his shoulders (*refer to* ***Deputy Poblete's transcript, pages 5 and 6***). Deputy Wlcek reacted by grabbing Suspect Hernandez and pushing him into the space between bunks 3 and 4. Deputy Poblete turned to his left and attempted to grab Suspect Hernandez; however, he was unsuccessful as Deputy Wlcek was in his way.

As Deputies Wlcek and Poblete pushed Suspect Hernandez into the space between the bunks, Suspect Hernandez fell to the ground on his back. Deputy Poblete saw Deputy Wlcek fall on top of Suspect Hernandez in a straddle position. Deputy Poblete explained Deputy Wlcek's sat on Suspect Hernandez' torso with his knees on the outside of Suspect Hernandez' waist. Suspect Hernandez continued to fight by flailing his arms while trying to claw at Deputy Wlcek's face. Deputy Poblete gave Suspect Hernandez numerous commands to stop fighting, but he did not comply.

Because Suspect Hernandez was assaultive and refused to stop fighting, Deputy Poblete reached around Deputy Wlcek's right side and punched Suspect Hernandez several times in the torso area. The punches showed no effect and Suspect Hernandez continued to claw at Deputy Wlcek's face. Deputy Poblete repositioned himself to the left side of Deputy Wlcek and punched Suspect Hernandez two or three times in the neck and face. Suspect Hernandez gave up and said, "I am done." Deputy Poblete grabbed Suspect Hernandez' right arm and assisted Deputy Wlcek in rolling Suspect Hernandez onto his stomach where they were able handcuff him. Suspect Hernandez was escorted to the infirmary by other deputies.

Deputy [redacted]

On June 27, 2019, IAB Sergeant Luan Dang interviewed Deputy [redacted] at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

Deputy [redacted] was walking on the upper tier of dorm 612 with Deputy Kim during a safety check. During the walk, Deputy [redacted] heard someone yell inside the dorm. Deputy [redacted] knew his partners, Deputies Wlcek and Poblete, were walking through the lower tier in dorm 612. Deputy [redacted] looked down at the lower tier and did not see his partners. When Deputy [redacted] ran downstairs with Deputy Kim, he saw Deputies Poblete and Wlcek attempting to control an inmate (Suspect Hernandez) on the ground. Due to the narrow space between the bunks, Deputy [redacted] could only see Suspect Hernandez' legs kicking. Deputy [redacted] grabbed Suspect Hernandez' legs and pinned them on the ground to prevent him from kicking. Deputy [redacted] believed Deputy Poblete was positioned by Suspect Hernandez' waist area and Deputy Wlcek was in front of Deputy Poblete. Because of the narrow space, Deputy [redacted] could not see the suspect's upper torso and could not see the interactions between Deputies Poblete and Wlcek and the suspect. The suspect was subsequently handcuffed and escorted out of the dorm. Deputy [redacted] did not see who or how the suspect was handcuffed.

EMPLOYEE WITNESSES

Senior Deputy Dimitrios Giannoulias

On June 24, 2019, IAB Sergeant Luan Dang interviewed Senior Deputy Dimitrios Giannoulias (Senior Giannoulias) at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

Senior Giannoulias has been assigned as a bonus deputy at NCCF for approximately five years. On October 22, 2018, Senior Giannoulias was assigned as the line supervisor in building 600. Senior Giannoulias heard radio traffic of deputies involved in a fight in dorm 612. When Senior Giannoulias arrived in dorm 612, he saw three deputies attempting to control Suspect Hernandez in between two bunks. One deputy was controlling Suspect Hernandez' leg, while the other two deputies positioned themselves toward Suspect Hernandez' torso. Senior Giannoulias believed Deputy Wlcek held one of Suspect Hernandez' arms behind his back. The space between the bunks was tight and Senior Giannoulias was unable to provide specific details regarding the interactions between the deputies and the inmate on the ground (***refer to Senior Giannoulias' transcript, page 5***). Additional deputy personnel arrived and Senior Giannoulias directed the deputies to handcuff the inmate and escort him out of the dorm. Senior Giannoulias later learned Deputies Wlcek, Poblete, and [redacted] were involved in the altercation with Suspect Hernandez.

Deputy John Budrecki

On June 25, 2018, IAB Sergeant Luan Dang interviewed Deputy Budrecki at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, Deputy Budrecki was assigned as a prowler in building 600. Deputy Budrecki heard radio traffic of deputies involved in a fight in dorm 612. Deputy Budrecki ran toward dorm 612 and noticed Deputy Atilano standing by the front entrance. Deputy Budrecki entered dorm 612 along with responding personnel and noticed Deputies [redacted], Poblete, and Wlcek attempting to control Suspect Hernandez between bunks 3 and 4. Deputy Budrecki saw Deputy [redacted] bending over while holding onto Suspect Hernandez' legs. Deputy Budrecki saw Deputies Wlcek and Poblete in front of Deputy [redacted] Because the space was narrow in between the bunks, Deputy Budrecki was unable to see Suspect Hernandez' upper body. Deputy Budrecki diverted his attention to the other inmates in the dorm and provided security. Once Suspect Hernandez was handcuffed, Deputy Budrecki and Deputy Mayberry escorted him out of dorm 612.

Deputy Thomas Mayberry

On June 25, 2019, IAB Sergeant Luan Dang interviewed Deputy Mayberry at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, Deputy Mayberry was assigned as Building 600 Rover 2. Deputy Mayberry was standing by Staff Station 615 when he overheard radio

traffic of deputies involved in a fight in dorm 612. When Deputy Mayberry responded to the scene, he saw Deputies Wlcek and Poblete on top of an inmate, Suspect Hernandez, in the space between bunks 3 and 4. Deputy Mayberry went in between bunks 2 and 3 and went toward the wall. Deputy Mayberry saw Deputy Wlcek on top of Suspect Hernandez. Deputies Wlcek ordered Suspect Hernandez to stop fighting; however, Suspect Hernandez did not comply. Suspect Hernandez was lying on his stomach with his hands tucked underneath his body. Deputy Mayberry saw Deputy Wlcek punched Suspect Hernandez about three or four times in the back of the head. Suspect Hernandez said, "I'm done" and was handcuffed. Once Suspect Hernandez was handcuffed by Deputies Wlcek and Poblete, Deputy Mayberry took custody of Suspect Hernandez and escorted him out of the dorm.

Deputy Arturo Atilano

On June 26, 2019, IAB Sergeant Luan Dang interviewed Deputy Atilano at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, Deputy Atilano was assigned as one of the Title-15 deputies in buildings 500 and 600. While monitoring the deputies walking from dorm 611 to 612, Deputy Atilano saw Deputies Wlcek and Poblete walking on the bottom tier while Deputies Kim and [redacted] walked on the top tier. Deputy Atilano temporary lost his focus into dorm 612 as he looked down at the staff station control panel (approximately five seconds) to ensure the door between dorms 611 and 612 had secured. Once the door was secured, evident by a red light on the control panel turning off, Deputy Atilano looked up into dorm 612 and saw Deputy Poblete "scuffling with someone between two bunks" (*refer to **Deputy Atilano's transcript, page 2***). Deputy Atilano described the scuffling he saw as Deputy Poblete was involved in a fight or attempting to control someone (*refer to **Deputy Atilano's transcript, page 5***).

Deputy Atilano did not see Deputy Wlcek and could not see beyond Deputy Poblete's back due to the narrow space between the two bunks. Deputy Atilano initiated a radio broadcast of deputies involved in a fight and ran toward the entrance of dorm 612 to open the door for responding personnel. Deputy Atilano remained at the entrance of the dorm because he had to hold the key while turning the key slot to ensure the door opened. Once additional personnel arrived, Deputy Atilano asked Custody Assistant Brayman to hold the key at the door. Deputy Atilano then entered dorm 612 and provided security.

Deputy Jose Sepulveda

On June 26, 2019, IAB Sergeant Luan Dang interviewed Deputy Sepulveda at NCCF. The interview was recorded and transcribed. For complete statements

made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, Deputy Sepulveda was assigned to Staff Station 615. Deputy Sepulveda heard radio traffic of a disturbance and responded to dorm 612. When Deputy Sepulveda entered dorm 612, he saw two deputies on top of what appeared to be an inmate (the suspect) between two bunks. Deputy Sepulveda believed the deputies had control of the suspect so he removed his "MK-9" canister and provided security. Deputy Sepulveda could not see the interactions between the suspect and the deputies due to the narrow space between the bunks. Deputy Sepulveda did not identify the involved deputies involved in the altercation with the suspect, and he was unable to recall the events after he provided security.

> **IAB Note:** An MK-9 canister is a cylindrical container that holds 13 ounces of Oleoresin Capsicum (pepper spray). It is intended for use in crowd management and will deliver short bursts of OC at an effective range of 18 to 20 feet.

Deputy Brandy Baker

On June 25, 2019, IAB Sergeant Luan Dang interviewed Deputy Baker at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, Deputy Baker was assigned as a rover in building 600. Because Deputy Baker was unable to recall the incident, IAB investigators read the video admonishment and showed surveillance footage of the incident to him. After reviewing the video, Deputy Baker acknowledged he was seen in the video. When he arrived in the dorm, there were numerous deputy personnel on scene. Deputy Baker provided security and did not witness the use of force.

Deputy Cesar Jacobo

On June 25, 2019, IAB Sergeant Luan Dang interviewed Deputy Jacobo at Palmdale Station. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, Deputy Jacobo was assigned as a yard deputy at NCCF. Deputy Jacobo was unable to recall the incident, thus IAB investigators read the video admonishment and showed the surveillance footage to him. After watching the surveillance footage, Deputy Jacobo acknowledged he was present during the incident. Deputy Jacobo could not recall the incident because he had responded to many incidents (*refer to **Deputy Jacobo's transcript, page 3***).

Deputy Jacobo could not remember who was involved and did not provide any relevant information.

Deputy Gildardo Portilla

On June 24, 2019, IAB Sergeant Luan Dang interviewed Deputy Portilla at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, Deputy Portilla was assigned as a yard deputy. Deputy Portilla overheard radio traffic of a deputy involved in a fight in dorm 612. When Deputy Portilla arrived in the dorm, he saw numerous other deputies. Deputy Portilla assisted and positioned himself in the dayroom and provided security. Deputy Portilla did not witness the use of force.

Deputy Pete Carranza

On June 24, 2019, IAB Sergeant Luan Dang interviewed Deputy Carranza at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, Deputy Carranza was working in the Inmate Services area. Deputy Carranza overhead radio traffic of deputies involved in a fight in dorm 612. Deputy Carranza ran approximately 200 yards from the Inmate Services area to dorm 612. When he arrived at the location, Deputy Carranza noticed numerous deputy personnel were on scene. Deputy Carranza assisted by staying in the dayroom area and provided security. Deputy Carranza did not witness the use of force and did not remember the inmate being escorted out of the dorm by deputies.

Deputy June Lee

On June 25, 2019, IAB Sergeant Luan Dang interviewed Deputy Lee at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

The in-service showed Deputy Lee was assigned as a 900 Rover. Deputy Lee stated he responded to numerous incidents and could not describe the details of this particular incident. Surveillance footage showed Deputy Lee was inside the dorm. IAB investigators read the video admonishment and showed the surveillance footage to Deputy Lee. After reviewing the footage, Deputy Lee acknowledged he was inside the dorm and appeared to be providing security. Deputy Lee was unable to recall this incident.

Deputy Eugene Kim

On July 18, 2019, IAB Sergeant Luan Dang interviewed Deputy Kim at NCCF. Attorney Susan Jerich from the law offices of Rains, Lucia, Stern, St. Phalle, & Silver was present during the interview. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview.

On October 22, 2018, Deputy Kim was assigned to Staff Station 610. Deputies Kim and [redacted] walked the upper tier of dorm 612 during a Title-15 check. During their walk, Deputy Kim heard scuffling sounds coming from the lower tier. Deputy Kim saw Deputy [redacted] running down the stairs, so he followed. Once Deputy Kim ran to the lower tier, he saw Deputy Poblete laying on top of Deputy Wlcek between bunks 3 and 4. Deputy Wlcek was laying on top of an inmate (the suspect) who appeared to have one arm sticking up (unknown which arm). Deputy Kim entered the space between bunks 3 and 4 to assist in controlling the suspect; however, he backed out because the space was narrow and he was unable to grab the suspect's arm. Deputy Kim picked up a Title 15 scanner laying on the ground and turned his attention toward the other inmates and provided security. Deputy Kim did not witness the use of force.

Deputy Terry Harsha

On June 24, 2019, IAB Sergeant Luan Dang interviewed Deputy Harsha at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, Deputy Harsha was assigned to the laundry crew. Deputy Harsha was conducting linen exchange in dorm 617 when he overheard radio traffic of deputies involved in a fight in dorm 612. Deputy Harsha responded to dorm 612 and saw numerous deputy personnel on scene. Deputy Harsha saw several deputies between the bunks and numerous inmates in the dayroom. Deputy Harsha provided security and did not witness the use of force. After the incident was over, Deputy Harsha recognized Deputies Wlcek and Poblete as the deputies who were standing in between bunks 3 and 4.

Custody Assistant Christopher Henn

On June 25, 2019, IAB Sergeant Luan Dang interviewed Custody Assistant Henn (CA Henn) at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, CA Henn was assigned to the laundry crew. CA Henn was conducting laundry exchange in dorm 614 when he overheard radio traffic of a deputy involved in a fight. CA Henn responded to dorm 612; however, he was unable to recall what took place. IAB investigators read the video admonishment and showed the surveillance footage to CA Henn. The surveillance footage showed there were numerous LASD personnel inside dorm 612 dayroom when CA Henn arrived. CA Henn did not remember what happened and did not witness the use of force.

Custody Assistant Betsy Brayman

On June 25, 2019, IAB Sergeant Luan Dang interviewed CA Brayman at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, CA Brayman was assigned to the laundry crew. While conducting linen exchange in dorm 615, CA Brayman overheard radio traffic of deputies involved in a fight in dorm 612 dayroom. After CA Brayman secured dorm 615, she ran to dorm 612. When she arrived at dorm 612, an unknown deputy told her to stay at the sliding door, hold the keys, and provide security. There were numerous personnel inside dorm 612 dayroom thus CA Brayman stayed by the door and provided security. CA Brayman did not witness the use of force and did not know who was involved.

Custody Assistant Romeo Mangona

On June 25, 2019, IAB Sergeant Luan Dang interviewed CA Mangona at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 22, 2018, CA Mangona was assigned to the laundry crew. CA Mangona believed he was conducting linen exchange in dorm 615 when he overheard radio traffic of a deputy involved in a fight. When CA Mangona arrived at the scene, he went to the upper tier and provided security. CA Mangona did not witness the use of force and was unable to recall the incident.

CIVILIAN WITNESSES

Doctor Shekhar Pai

On October 22, 2018, IAB Sergeant Francois Chang interviewed Witness Pai at NCCF. The interview was recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

Witness Pai was one of the doctors assigned to the infirmary at NCCF. When Suspect Hernandez was brought to the infirmary by deputies, Suspect Hernandez complained of pain to his left middle finger. Witness Pai noticed a bump on the right side of Suspect Hernandez' forehead. Suspect Hernandez sustained scratches on his back and abrasions on the right side of his face. Witness Pai ordered X-rays of Suspect Hernandez' face and left middle finger. Results from the X-rays showed Suspect Hernandez sustained a facial fracture (*refer to **Witness Pai's transcript, page 2***). Doctor Pai stated Suspect Hernandez' injuries were consistent with someone being involved in a fight.

Inmate [redacted]

On October 22, 2018, IAB Sergeants Luan Dang, Francois Chang, and Lieutenant Minh Dinh interviewed Witness [redacted] at NCCF. The interview was video-recorded **[EXHIBIT D – Subfolder [redacted]** and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

Witness [redacted] was sitting down by the shower area when the deputies entered dorm 612. As the deputies walked by bunks 3 and 4, Suspect Hernandez lunged at them, and swung at them twice. Suspect Hernandez' first swing with his left hand struck the deputy closest to the bunks in the face. As Suspect Hernandez attempted to swing a second time with his right hand, the deputies had reacted and punched Suspect Hernandez in the torso. The deputies ordered Suspect Hernandez to "get down" as Suspect Hernandez placed his arms in front of his face to protect himself while retreating toward the wall between bunks 3 and 4.

The deputies took Suspect Hernandez to the ground in between bunks 3 and 4 and told him to place his hands behind his back. Once the deputies and Suspect went into the narrow space between the bunks, Witness [redacted] view was obstructed by the bunks and he was unable to see their interactions. Numerous deputy personnel arrived on scene while Witness [redacted] lay on the ground facing down. Suspect Hernandez was subsequently escorted out of the dorm.

Witness [redacted] told IAB investigators Suspect Hernandez was forced by the "Southsiders" (the Hispanic inmates) to assault the deputies. Suspect Hernandez came to dorm 612 approximately 10 to 12 days prior to this incident and had been warned by the Hispanic inmates of miscellaneous violations of not following the inmates' unwritten jailhouse rules. Some of the violations included: cutting across the wrong tables, using the wrong showers, using the wrong telephones, etc... Witness [redacted] spoke with Suspect Hernandez and learned the Hispanic inmates did not like Suspect Hernandez. Witness [redacted] believed the Hispanic inmates ordered Suspect Hernandez to attack the deputies.

SUSPECT

Manuel Isaiah Hernandez

On October 22, 2018, IAB Sergeants Luan Dang, Francois Chang, and Lieutenant Minh Dinh interviewed Suspect Hernandez at NCCF. The interview was video-recorded **[EXHIBIT G]** and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcription. The following narrative is a summary of the interview:

On October 21, 2018, Suspect Hernandez called his [redacted] and his [redacted] answered the telephone. Suspect Hernandez became upset because he told his [redacted] not to be with anyone while he was incarcerated (*refer to **Suspect Hernandez' transcript, page 3***). On October 22, 2018, Suspect Hernandez stood between bunks 3 and 4 after linen exchange was over. Suspect Hernandez was frustrated and "snapped" on the deputies during their security check (*refer to **Suspect Hernandez' transcript, page4***). Suspect Hernandez stood between the bunks 3 and 4 and waited for the deputies to walk by. As the deputies reached bunk 3, Suspect Hernandez ran up to the deputies and pushed one of them. Simultaneously the two deputies grabbed Suspect Hernandez and pushed him into the space between bunks 3 and 4. Suspect Hernandez knew the deputies would react so he turned his body to the right and dropped to his knee simultaneously as the deputies grabbed his arms and pushed him down the ground. Suspect Hernandez randomly chose to attack the deputies and did not identify them.

Suspect Hernandez anticipated the deputies would react so he backed up and allowed the deputies to push him down the ground. Suspect Hernandez fell face down on his stomach. He brought his arms toward his head to protect his face and felt the deputies putting their weight on his back while ordering him to place his hands behind his back. Suspect Hernandez felt the deputies grab his arms. He complied and placed his hands behind his back. Initially, Suspect Hernandez said the deputies did not punch or kick him while he was on the ground (*refer to **Suspect Hernandez' transcript, pages 15 and 18***). Suspect Hernandez later said the deputies punched him about 10 to 15 times while he was on the ground (*refer to **Suspect Hernandez' transcript, pages 19 and 20***). The deputies subsequently handcuffed Suspect Hernandez, stood him up, and escorted him to the infirmary where he was treated by a nurse.